

So Ordered.



*Frederick P. Corbit*

Frederick P. Corbit  
Bankruptcy Judge

1 Dated: March 2nd, 2020

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10 **IN THE UNITED STATES BANKRUPTCY COURT**  
11 **EASTERN DISTRICT OF WASHINGTON**

12 In re:

No. 19-01492-FPC11

13  
14 **TAMARACK AEROSPACE GROUP,**  
15 **INC.,**

Chapter 11

16 Debtor

**DEBTOR'S ORDER CONFIRMING  
AMENDED PLAN OF  
REORGINZATION (ECF NO. 171)**

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19 A HEARING HAVING BEEN HELD BY THE COURT on February 27, 2020 (the  
20 **"Confirmation Hearing"**), to consider confirmation of the Amended Plan of  
21 Reorganization, filed December 31, 2019 [ECF No. 171] and the Debtor's Modification of  
22 First Amended Plan of Reorganization As to Treatment of Class 3 Claims and Notice  
23 Thereof, filed and served February 21, 2020 [ECF No. 195] as modifying the Chapter 11  
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1 Plan [ECF No. 109], and as otherwise amended (collectively, the “**Plan**”),<sup>1</sup> proposed by  
2 Tamarack Aerospace Group, Inc. (the “**Debtor**” or, as reorganized pursuant to the Plan, the  
3 “**Reorganized Debtor**,” or “**Tamarack**”);

4  
5 IT APPEARING TO THE COURT that the Debtor filed a voluntary petition for relief  
6 under chapter 11 of title 11, United States Code (the “**Bankruptcy Code**”) on June 1, 2019  
7 (the “**Petition Date**”) commencing the Debtor’s chapter 11 case (the “**Chapter 11 Case**”);

8  
9 IT FURTHER APPEARING TO THE COURT that solicitation and noticing  
10 procedures with respect to the Plan have been approved by the Court, pursuant to the  
11 Amended Disclosure Statement Order, and that such procedures have been followed;

12  
13 IT FURTHER APPEARING TO THE COURT that the deadline for filing objections  
14 to the Plan has passed and that no objections were filed;

15  
16 IT FURTHER APPEARING TO THE COURT that the deadline for casting ballots to  
17 accept or reject the Plan has passed and the Court has acknowledged the receipt of ballots  
18 that have been timely filed by creditors holding Allowed Claims that are Impaired under the  
19 Plan, including the votes to accept the Plan by Class 3, 4, and 6 Claims, whose acceptance  
20 constitutes the acceptance of the Plan by Impaired classes of Claims entitled to vote to on the  
21 Plan;  
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23  
24 NOW, THEREFORE, based upon the Court’s review of (a) the Plan, (b) the  
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26  
27 <sup>1</sup> Capitalized terms used herein without definition have the meanings provided for in the Plan. In  
28 addition, any term used in the Plan or this Order that is not defined in the Plan or this Order, but that is used  
in the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, shall have the meaning assigned to  
that term in the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, the Local Rules.

1 Disclosure Statement, (c) the modification to Plan (d) all evidence proffered or adduced at,  
2 filings in connection with, and arguments of counsel made at, the Confirmation Hearing, and  
3  
4 (e) the entire record of the Chapter 11 Case; and after due deliberation thereon and good  
5 cause appearing therefor, and for the reasons set forth on the record at the Confirmation  
6 Hearing,

7  
8 **IT IS HEREBY FOUND AND DETERMINED THAT:<sup>2</sup>**

9 **Jurisdiction and Venue**

10 1. The Court has jurisdiction over the Chapter 11 Case pursuant to 28 U.S.C. §§  
11 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Confirmation of  
12 the Plan is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(L) over which the Court has  
13 exclusive jurisdiction.  
14  
15

16 **Judicial Notice**

17 2. The Court takes judicial notice of the docket of this bankruptcy proceeding  
18 maintained by the Clerk of the Court, including, without limitation, all pleadings and other  
19 documents filed with and all orders entered by the Court, and all evidence and argument  
20 made, proffered, or adduced at the hearings held before the Court during the pendency of the  
21 case.  
22  
23

24 **Solicitation**

25 <sup>2</sup> The findings of fact and the conclusions of law stated in this Order shall constitute findings of fact  
26 and conclusions of law pursuant to Fed. R. Bankr. P. 7052, made applicable to contested matters by Fed. R.  
27 Bankr. P. 9014. To the extent that any finding of fact shall be determined to be a conclusion of law, it shall  
28 be so deemed, and to the extent that any conclusion of law shall be determined to be a finding of fact, it  
shall be so deemed.

ORDER CONFIRMING AMENDED  
PLAN OF REORGANIZATION - 3

MUNDING, P.S.  
9425 N NEVADA ST., STE 212  
SPOKANE, WA 99218  
(509) 624-6464

1           3.     Transmittal and Mailing of Solicitation Materials and Notices. The solicitation  
2 materials and notices prescribed by the Disclosure Statement Order were served in  
3 compliance with the Disclosure Statement Order, and such service was appropriate and  
4 sufficient. Appropriate and sufficient notice of the Confirmation Hearing, submission  
5 deadlines, and other matters requiring notice pursuant to the Disclosure Statement Order was  
6 given in compliance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure,  
7 the Local Rules, and the Disclosure Statement Order, and no other or further notice is or  
8 shall be required.  
9

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12           4.     Adequacy of Solicitation and Voting Procedures. All procedures used to  
13 distribute the solicitation materials to the appropriate Creditors entitled to vote on the Plan  
14 and to tabulate the ballots returned by Creditors were fair and were in compliance with the  
15 applicable provisions of the Bankruptcy Code, the the Federal Rules of Bankruptcy  
16 Procedure, the Local Rules, and the Disclosure Statement Order. Votes for acceptance or  
17 rejection of the Plan were solicited and cast in good faith, and only after transmittal of the  
18 Disclosure Statement, which the Court previously found to contain adequate information, in  
19 compliance with 11 U.S.C. §§ 1125 and 1126 and Fed. R. Bankr. P. 3017 and 3018.  
20  
21

22  
23           5.     Good Faith Solicitation – 11 U.S.C. § 1125(e). The Debtor, has acted in good  
24 faith within the meaning of 11 U.S.C. §§ 1125(e) and 1129(a)(3), and in compliance with the  
25 applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure,  
26 the Local Rules, and the Disclosure Statement Order in connection with all of its activities  
27

1 relating to the solicitation of acceptances of the Plan and their participation in the activities  
2 described in 11 U.S.C. § 1125.

3  
4 6. Compliance with Fed. R. Bankr. P. 3017. The Debtor has given notice of the  
5 Confirmation Hearing as required by Fed. R. Bankr. P. 3017(d) and the Disclosure  
6 Statement Order. The solicitation materials prescribed by the Disclosure Statement Order  
7 were transmitted to Creditors entitled to vote on the Plan in accordance with Fed. R. Bankr.  
8 P. 3017(d).

9  
10 7. Compliance with Fed. R. Bankr. P. 3018. The solicitation of votes to accept or  
11 reject the Plan satisfies Fed. R. Bankr. P. 3018. The Plan was transmitted to all Creditors  
12 entitled to vote on the Plan, sufficient time was prescribed for such Creditors to accept or  
13 reject the Plan, and the solicitation materials used and the solicitation procedures followed  
14 comply with 11 U.S.C. §§ 1125 and 1126, thereby satisfying the requirements of Fed. R.  
15 Bankr. P. 3018.

#### 16 Classification of Creditor Classes and Voting Results

17  
18 8. Proper Classification – 11 U.S.C. §§ 1122, 1123(a)(1). Aside from  
19 Administrative Expense Claims and Priority Claims, which need not be classified, the Plan  
20 designates eight classes of Claims and Interests against the Debtor. The Claims and Interests  
21 placed in each class are substantially similar to other Claims and Interests in each such class.  
22 Valid business, factual, and legal reasons exist for separately classifying the various classes  
23 of Claims and Interests created under the Plan, and such classification does not unfairly  
24

1 discriminate among holders of Claims and Interests. Thus, the Plan satisfies 11 U.S.C. §§  
2 1122 and 1123(a)(1).

3  
4 9. Specified Treatment of Impaired Classes – 11 U.S.C. § 1123(a)(3). The Plan  
5 specifies that classes 2, 3, 5, 6, 7, and 8 are Impaired and specifies the treatment of Claims  
6 and Interests in those classes, thereby satisfying 11 U.S.C. § 1123(a)(3).  
7

8 10. Impaired Classes that have Voted to Accept or Reject the Plan. Holders of  
9 Claims in Classes 3, 5, 6, 7 and 8 are Impaired under the Plan and are not deemed to reject  
10 the Plan pursuant to 11 U.S.C. § 1126. According to the Chapter 11 Docket, at least one  
11 Impaired class of Claims against the Debtor has voted to accept the Plan pursuant to the  
12 requirements under 11 U.S.C. §§ 1124 and 1126, without counting the votes of insiders.  
13

14 11. No Discrimination – 11 U.S.C. § 1123(a)(4). The Plan provides for the same  
15 treatment by the Debtor for each Claim or Interest in each respective class unless the holder  
16 of a particular Claim or Interest has agreed to a less favorable treatment of such Claim or  
17 Interest, thereby satisfying 11 U.S.C. § 1123(a)(4).  
18

19  
20 **Compliance with Section 1129 of the Bankruptcy Code**

21 12. Plan's Compliance with Bankruptcy Code – 11 U.S.C. § 1129(a)(1). The Plan  
22 complies with the applicable provisions of the Bankruptcy Code, thereby satisfying 11  
23 U.S.C. § 1129(a)(1).  
24

25 13. Best Interests of Creditors – 11 U.S.C. § 1129(a)(7). To the extent that a  
26 Creditor does not vote to accept the Plan, the Disclosure Statement contains a liquidation  
27

1 analysis showing that all Creditors would recover at least as much under the Plan as they  
2 would under a chapter 7 liquidation, but likely more because under a liquidation, the  
3 probable sale price of the Debtor's Assets would only be sufficient to pay Tamarack's  
4 unavoidable, undisputed, first priority Claim against the Debtor's Assets, whereas the Plan  
5 provides for a distribution on account of all Allowed Claims. Therefore, and because all  
6 classes of Claims are either deemed to have accepted the Plan or have voted to accept the  
7 Plan, the requirements of 11 U.S.C. § 1129(a)(7) have been met.

10 14. Treatment of Administrative Expense, Priority and Tax Claims – 11 U.S.C.  
11 § 1129(a)(9). The treatment of Administrative Expense Claims and Priority Claims pursuant  
12 to the Plan satisfies the requirements of 11 U.S.C. §§ 1129(a)(9)(A), (B) and (C).

14 15. Acceptance by Impaired Class – 11 U.S.C. § 1129(a)(10). All classes of  
15 Impaired Claims entitled to vote have voted to accept the Plan in accordance with 11 U.S.C.  
16 § 1126(e).

18 16. Feasibility – 11 U.S.C. § 1129(a)(11). The structure set forth in the Plan can be  
19 consummated under the circumstances anticipated by the Court, based upon the Disclosure  
20 Statement and other evidence proffered or adduced by the Debtor at the Confirmation  
21 Hearing with respect to the feasibility of the Plan. Based upon the foregoing, the Court finds  
22 that the Debtor has satisfied the requirements of 11 U.S.C. § 1129(a)(11).

24 17. Payment of Fees – 11 U.S.C. § 1129(a)(12). All fees payable under 28 U.S.C. §  
25 1930 on or before the date the will Plan become effective under its terms or as determined



1 by the Court (the “**Effective Date**”), have been paid or will be paid on the Effective Date,  
2 thus satisfying the requirements of 11 U.S.C. § 1129(a)(12).  
3

4 18. Transfers of Property – 11 U.S.C. § 1129(a)(16). To the extent applicable, all  
5 transfers of property under the Plan shall be made in accordance with applicable provisions  
6 of the Bankruptcy Code or non-bankruptcy law that govern the transfer of property of a  
7 corporation or trust that is not a moneyed, business, or commercial corporation or trust.  
8

9 19. Fair and Equitable; No Unfair Discrimination as to Rejecting Classes – 11  
10 U.S.C. § 1129(b). Class 8 consists of insiders holding Interests in the Debtor. The Plan does  
11 not discriminate unfairly and is fair and equitable with respect to Class 8 as required by 11  
12 U.S.C. § 1129(b). Upon confirmation of the Plan and as of the Effective Date, the Plan shall  
13 be binding upon the members of all classes, including a class that is deemed to have rejected  
14 the Plan.  
15

16 20. Only One Plan – 11 U.S.C. § 1129(c). Other than the Plan (including previous  
17 versions thereof), no other plan has been filed in the Chapter 11 Case. Accordingly, the  
18 requirements of 11 U.S.C. § 1129(c) have been satisfied.  
19

20 21. Principal Purpose – 11 U.S.C. § 1129(d). The principal purpose of the Plan is  
21 neither the avoidance of taxes nor the avoidance of Section 5 of the Securities Act of 1933,  
22 and no governmental unit has objected to the confirmation of the Plan on any such grounds.  
23 The Plan therefore satisfies the requirements of 11 U.S.C. § 1129(d).  
24

25 22. Satisfaction of Confirmation Requirements. The Plan satisfies the requirements  
26  
27



1 for confirmation set forth in 11 U.S.C. § 1129.

2 23. Burden of Proof. The Debtor, as proponent of the Plan, has met its burden of  
3  
4 proving the elements of 11 U.S.C. §§ 1129(a) and (b) by a preponderance of the evidence.

5 **Adherence to the Absolute Priority Rule**

6 24. The Plan satisfies the requirements of 11 U.S.C. § 1129(b) because there is no  
7  
8 class of Claims or Interests that is junior to the holders of Impaired Claims that have rejected  
9 or are deemed to reject the Plan will receive any distribution on such Claims or Interests.  
10 Accordingly, the Plan does not violate the absolute priority rule, does not discriminate  
11  
12 unfairly, and is fair and equitable with respect to such classes.

13 **Additional Plan Provisions – 11 U.S.C. § 1123(b)**

14 25. The Plan's additional provisions are appropriate and not inconsistent with the  
15  
16 applicable provisions of the Bankruptcy Code.

17 **Implementation of Plan – 11 U.S.C. § 1123(a)(5)**

18 26. The Plan provides adequate and proper means for its implementation, thereby  
19  
20 satisfying 11 U.S.C. § 1123(a)(5).

21 **Debtor Releases, Exculpations, and Injunctions**

22 27. Each of the release, exculpation, and injunction provisions set forth in the Plan:  
23  
24 (i) is within the jurisdiction of the Court under 28 U.S.C. §§ 1334(a), 1334(b), and 1334(d);  
25 (ii) is an essential means of implementing the Plan pursuant to 11 U.S.C. § 1123(a)(5); (iii)  
26  
27 is an integral element of the transactions incorporated into the Plan; (iv) confers material

1 benefits on, and is in the best interests of, the Debtor, its Estate, and its Creditors; (v) is  
2 important to the overall objectives of the Plan to finally resolve all Claims among or against  
3 the key parties in interest in the Chapter 11 Case with respect to the Debtor; and (vi) is  
4 consistent with 11 U.S.C. §§ 105, 1123 and 1129, and other applicable provisions of the  
5 Bankruptcy Code. The record established at the Confirmation Hearing and the Chapter 11  
6 Case is sufficient to support each of the release, exculpation, and injunction provisions  
7 contained in the Plan.  
8

### 9 **Plan Modifications**

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12 **28.** With the written consent of Class 3, the Debtor may modify the Plan as  
13 described in the Debtor's Modification of First Amended Plan of Reorganization As to  
14 Treatment of Class 3 Claims [ECF 195] which is incorporated into the Plan and pursuant to  
15 11 U.S.C. § 1127 and as provided, to the extent allowed by law. Subject to the limitations  
16 contained herein, the Debtor may modify the Plan in accordance with this paragraph, before  
17 or after entry of this Order, without notice or hearing, or after such notice, The Court finds  
18 that the modification does not materially and adversely affect the rights of any parties-in-  
19 interest without their consent. The Court has found notice of the Debtor's Modification of  
20 First Amended Plan of Reorganization As to Treatment of Class 3 Claims [ECF No. 195]  
21 was adequate.  
22

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25 **29.** All state or local government officials or agents are directed to forego the  
26 collection of any tax or assessment described in this Order or in Bankruptcy Code § 1146(a),  
27

1 including transfer tax, use tax, or excise tax arising from claims transferred pursuant to the  
2 Settlement Agreements that are incorporated as part of the Bankruptcy Plan, along with any  
3 such tax arising from new member interests transferred in exchange for claims against the  
4 Debtor, and to accept for filing or recordation any of the instruments or other documents  
5 described in this Order or in Bankruptcy Code § 1146(a) without the payment of any such  
6 tax or assessment.  
7

8  
9 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

10 **Confirmation of Plan**

- 11
- 12 1. **Confirmation.** The Plan is approved and confirmed under 11 U.S.C. § 1129.
  - 13 2. **Incorporation of Terms and Provisions of Plan.** The terms and provisions of the  
14 Plan and Plan Modification are incorporated by reference into and are an integral part of this  
15 Order. Each term and provision of the Plan is valid, binding, and enforceable as though  
16 fully set forth herein. The provisions of the Plan and this Order, including the findings of  
17 fact and conclusions of law set forth herein, are non-severable and mutually dependent.  
18
  - 19 3. **Binding Effect.** On the Effective Date, the provisions of the Plan and Plan  
20 Modification shall be binding on the Debtor, the Reorganized Debtor, any individual or  
21 entity acquiring or receiving property or a distribution under the Plan, and any holder of a  
22 Claim against or Interest in the Debtor, including all governmental entities, whether or not  
23 the Claim or Interest of such holder is Impaired under the Plan, and whether or not such  
24 holder has accepted the Plan, as well as any parties-in-interest with notice of this proceeding.  
25  
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1 Pursuant to 11 U.S.C. §§ 1123(a) and 1142(a) and the provisions of this Order, the Plan and  
2 the Settlement Agreement shall apply and be enforceable notwithstanding any otherwise  
3 applicable non-bankruptcy law.  
4

5 4. Re-vesting of Assets. Except as otherwise expressly provided in the Plan, as of  
6 the Effective Date, the Reorganized Debtor will be vested with all of the property of the  
7 Estate, subject to the Claims, liens and security interests of TagJet and Class 3 DH  
8 Aeronautics, but otherwise free and clear of all liens, claims, encumbrances, and interests.  
9

10 As of the Effective Date, the Reorganized Debtor may hold, use, dispose, and  
11 otherwise deal with such property and conduct its affairs.  
12

13 5. Exemption from Certain Taxes. Pursuant to 11 U.S.C. § 1146(a), neither (a) the  
14 issuance, transfer or exchange of notes or equity securities under the Plan, (b) the creation of  
15 any lien, security interest, mortgage, deed of trust, pledge or other encumbrance, (c) the  
16 making or assignment of any contract, lease or sublease, nor (d) the making or delivery of  
17 any deed or other instrument of transfer under, in furtherance of, or in connection with, the  
18 Plan, such as any deeds, any bills of sale, or any transfers of tangible or intangible property,  
19 shall not be subject to any document recording tax, stamp tax, conveyance fee, intangibles or  
20 similar tax, mortgage tax, and stamp act. State and local governmental officials or agents are  
21 hereby directed to forego the collection of any such tax or governmental assessment and to  
22 accept for filing and recordation any of the foregoing instruments or other documents  
23 without the payment of any such tax or governmental assessment.  
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3 6. Effect of Conflict Between Plan and this Order. The provisions of the Plan and  
4 this Order shall be construed in a manner consistent with each other so as to effectuate the  
5 purposes of each; provided, however, that if there is determined to be any inconsistency  
6 between any Plan provision and any provision of this Order that cannot be so reconciled,  
7 then, solely to the extent of such inconsistency, the provisions of this Order shall govern and  
8 any such provision of this Order shall be deemed a modification of the Plan and shall control  
9 and take precedence.  
10  
11

12 **Effect of Plan on Claims and Interests**

13 7. Discharge of Debtor. Except as otherwise provided herein, in the Plan, in  
14 accordance with 11 U.S.C. § 1141(d)(1), entry of this Order shall provide the Reorganized  
15 Debtor with a discharge of any Claim against the Debtor, including (i) any Claim of any  
16 kind that arose at any time before the entry of the Confirmation Order; and (ii) any Claim of  
17 any kind described in 11 U.S.C. § 502(g). Following entry of this Order, every holder of a  
18 Claim or Interest (other than TAGJET and Class 3 DH Aeronautics) shall be precluded from  
19 asserting against the Debtor, the Reorganized Debtor, and/or any of the Debtor's or  
20 Reorganized Debtor's Assets, any further Claim or Interest based upon any document,  
21 instrument, act, omission, transaction, or other activity of any kind or nature that occurred  
22 prior to the entry of this Order, except as provided in the Plan and Plan Modification.  
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3 8. Effect on Automatic Stay. Except as provided otherwise in the Plan and Plan  
4 Modification, on the Effective Date, the automatic stay imposed by 11 U.S.C. § 362(a) shall  
5 terminate.

6  
7 9. Filing of Reports. The Reorganized Debtor shall file all reports and pay all fees  
8 required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local  
9 Rules, the U.S. Trustee guidelines, and the rules and orders of the Court.

10  
11 10. Filing and Recording. This Order (a) is and shall be effective as a  
12 determination that, on the Effective Date, all liens granted hereunder or in the Plan are valid,  
13 perfected and in full force and effect, (b) is and shall be binding upon and shall govern the  
14 acts of all entities including all filing agents, filing officers, title agents, title companies,  
15 recorders of mortgages, recorders of deeds, registrars of deeds, administrative agencies,  
16 clerks of court, governmental departments, secretaries of state, federal, state and local  
17 officials, and all other persons and entities who may be required, by operation of law, the  
18 duties of their office, or contract, to accept, file, register or otherwise record, or release any  
19 document or instruments. The Debtor and Reorganized Debtor are authorized and ordered to  
20 execute, deliver, file, and/or record such contracts, instruments, releases, and other  
21 agreements or documents, and take any such actions as each of them may deem necessary or  
22 appropriate to effectuate and further evidence the terms and conditions of the Plan and Plan  
23 Modification, or to otherwise comply with applicable law.  
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1  
2 11. Pre-Petition and Post-petition Contracts and Leases. All pre- and post-petition  
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4 leases and executory contracts are assumed as of the Effective Date.

5 12. On the date of entry of Confirmation Order, automatically and without further  
6  
7 action, the implementation of the Plan shall become the general responsibility of the  
8 Reorganized Debtor, and the Reorganized Debtor shall be authorized to take all actions  
9 necessary to effectuate the Plan.

10 13. All state or local government officials or agents are directed to forego the  
11  
12 collection of any tax or assessment described in this Order or in Bankruptcy Code § 1146(a),  
13 including transfer tax or excise tax arising from new member interests transferred in  
14 exchange for claims against the Debtor, and to accept for filing or recordation any of the  
15 instruments or other documents described in this Order or in Bankruptcy Code § 1146(a)  
16 without the payment of any such tax or assessment.  
17

18 14. Immediate Effectiveness; Authorization and Order to Consummate Plan. Any  
19  
20 stay of this Order provided by any Bankruptcy Rule, including Fed. R. Bankr. P. 3020(e) is  
21 hereby waived, and the terms of this Order shall be immediately effective and enforceable  
22 upon its entry. The Debtor is authorized to consummate the Plan immediately after entry of  
23 this Order and the satisfaction or waiver of all other conditions to the Effective Date of the  
24 Plan, in accordance with the terms of the Plan.  
25

26 15. Payment of Statutory Fees. The Debtor shall pay a certain sum determined by  
27



1 the U.S. Trustee to the U.S. Trustee for fees due pursuant to 28 U.S.C. § 1930(a)(6), within  
2 the later of ten (10) business days of the entry of this Order or ten (10) business days of the  
3  
4 Debtor's receipt of a notice of such sum certain from the U.S. Trustee.

5 **Applicable Non-Bankruptcy Law**

6 16. **Priority Over Non-Bankruptcy Law.** Pursuant to 11 U.S.C. §§ 1123(a) and  
7  
8 1142(a), the provisions of this Order, the Plan, and the Plan Modification, and any other  
9 amendments or modifications thereto shall apply and be enforceable notwithstanding any  
10 otherwise applicable non-bankruptcy law.  
11

12 **Notices**

13 17. **Notice of Effective Date.** No later than one (1) business day following the entry  
14 of the Order Confirming Plan, the Reorganized Debtor shall file notice of the Effective Date  
15 with the Court and serve a copy of such notice on all parties entitled to service, specifically  
16 those creditors holding administrative claims, priority claims, and Classes 1, 2, 3, 4, 5, 6, and  
17 7.  
18  
19

20 18. **Notice of Entry of this Order.** In accordance with Fed. R. Bankr. P. 2002 and  
21 3020(c), no later than one (1) business day after the date of entry of this Order, the Debtor  
22 shall serve a notice of this Order (the "**Confirmation Notice**") and a copy of this Order  
23 United States mail, first-class postage prepaid, to all parties holding administrative claims,  
24 priority claims, and to Classes, 1, 2, 3, 4, 5, 6, and 7. The Debtor does not need to serve  
25 Class 8 shareholders with the Confirmation Notice. **Provided, however,** that no notice or  
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27

1 service of any kind shall be required to be mailed or made upon any party to whom the  
2 Debtor mailed a notice of the Confirmation Hearing but received such notice returned  
3 marked "undeliverable as addressed," "moved, left no forwarding address," "forwarding  
4 order expired," or similar reason, unless the Debtor has been informed in writing by such  
5 party, or is otherwise aware, of that party's new address. Mailing of the Confirmation  
6 Notice in the time and manner set forth above shall constitute good and sufficient notice  
7 under the circumstances and in accordance with the requirements of Fed R. Bankr. P. 2002  
8 and 3020(c), and no other or further notice of this Order is necessary.  
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12 **Retention of Jurisdiction**

13 19. This Court shall have and retain jurisdiction over all matters arising out of or  
14 related to the Chapter 11 Case, the Debtor and Reorganized Debtor, the Plan, the Plan  
15 Modification, and Settlement Agreement, to the fullest extent permitted by the Bankruptcy  
16 Code and applicable law, to interpret and enforce the provisions of the Settlement  
17 Agreement, the Plan, the Modified Plan, and this Order, and to issue such orders as may be  
18 necessary for the implementation, execution, and consummation of the Plan, the Plan  
19 Modification, and this Order; to remedy any defect or omission, or reconcile any  
20 inconsistency in the Plan or Plan Modification as may be necessary to carry out the intents  
21 and purposes of the Plan and Plan Modification.  
22  
23  
24

25 ///END OF ORDER///  
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27

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4  
5 Presented by:

6 MUNDING, P.S.  
7

8 /s/ John D. Munding

9 JOHN D. MUNDING, WSBA #21734

10 Attorney for Debtor

11 Tamarack Aerospace Group, Inc.

12 Approved for Entry by:

13 Office of the United States Trustee  
14

15 /s/James D. Perkins

16 James Perkins, Attorney WSBA#12996

17 Attorney for Office of United States Trustee

18 Fox Rothschild, LLP  
19

20  
21 /s/ Robert M. Fishman

22 Joseph E. Shickich Jr.

23 Robert M. Fishman

24 Attorneys for Class 3 Creditor

25 DH Aeronautics, LLC  
26  
27

28 ORDER CONFIRMING AMENDED  
PLAN OF REORGANIZATION - 18

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9425 N NEVADA ST., STE 212  
SPOKANE, WA 99218  
(509) 624-6464